IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

Bail Appl..No. 1409 of 2007()

CRIME NO.32/07 OF CHITTAR POLICE STATION

: PETITIONERS/ACCUSED NO.1 & 2

---

1. SHAJI, S/O SOMAN RESIDING AT
   BHAVANAKULATHIL HOUSE, THADATHIL, 3RD BLOCK,
   KOCHUKOICKAL, CHITTAR SEETHTHODE.

2. SALIM, S/O JANARDHANAN,
   ADICHINAL NIRAVEL, 3RD BLOCK,
   KOCHUKOICKKAL, CHITTAR-SEETHTHODE.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE

---

1. C.I.OF POLICE, CHITTAR POLICE STATION.

2. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1409 OF 2007 A

Dated this the 9th day of March, 2007

O R D E R

The petitioners, who are accused Nos.1 and 2 in Crime No.32/2007 of Chittar Police Station for offences punishable under sections 8(2) and 55(g) of the Abkari Act for allegedly having been found in possession of 560 litres of wash, 15 litres of arrack, 12 tins of jaggery and utensils for brewing arrack on 23.2.2007, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the concerned Magistrate and file an application for regular bail, within a period of two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, bearing in mind the decision of this court reported in ***Sukumari Vs. State of Kerala*** [2001 (1) KLT 22].

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks